

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**GLOBAL EQUITY MANAGEMENT (SA)
PTY. LTD.,**

Plaintiff,

v.

**EXPEDIA, INC., ET AL.,
Defendants.**

**CIVIL ACTION NO. 2:16-cv-00095-RWS
(Lead Case)**

JURY TRIAL DEMANDED

**DECLARATION OF BRYAN SINCLAIR IN SUPPORT OF DEFENDANTS'
RESPONSIVE CLAIM CONSTRUCTION BRIEF**

I, Bryan Sinclair, declare:

1. I am an attorney licensed to practice law before all courts in the State of California and am admitted in the United States District Court for the Eastern District of Texas *pro hac vice*. I am a Partner at K&L Gates LLP in its Palo Alto, CA office. I, along with other attorneys at K&L Gates LLP, represent Defendants Airbnb, Inc. (Airbnb), eBay Inc. ("eBay"), and TripAdvisor LLC (TripAdvisor).

2. I submit this declaration in support of Defendants' Responsive Claim Construction Brief.

3. I have personal knowledge of the matters set forth herein, except as to those matters set forth on information and belief, and as to those I am informed and believe them to be true and could and would competently testify thereto. In making this declaration, it is not my intention, nor the intention of Defendants' to waive the attorney-client privilege, the attorney-work product immunity, or any other applicable privilege.

4. Attached as Exhibit A to this declaration is a true and correct copy of U.S. Patent 6,690,400, Graphic User Interface for Resources Management of Super Operating System Based Computers, published on February 10, 2004.

5. Attached as Exhibit B to this declaration is a true and correct copy of U.S. Patent 7,356,677, Computer System Capable of Fast Switching Between Multiple Operating Systems and Applications published on April 8, 2008.

6. Attached as Exhibit C to this declaration is a true and correct copy of the deposition transcript of Craig Rosenberg, dated September 30, 2016.

7. Attached as Exhibit D to this declaration is a true and correct copy of a chart setting forth Defendants' and Plaintiff's proposed constructions.

8. Attached as Exhibit E to this declaration is a true and correct copy of Applicant's Response to Office Action dated September 4, 2004, excerpted from the USPTO File History for U.S. Patent 6,690,400.

9. Attached as Exhibit F to this declaration is a true and correct copy of the Declaration of Richard M. Goodin, P.E., dated August 26, 2016.

10. Attached as Exhibit G to this declaration is a true and correct copy of the Declaration of Craig Rosenberg, Ph.D., dated September 7, 2016.

11. Attached as Exhibit H to this declaration is a true and correct copy of excerpts from the Microsoft Computer Dictionary, Fourth Edition 1999.

12. Attached as Exhibit I to this declaration is a true and correct copy of Applicant's Amendment and Response dated December 19, 2006, excerpted from the USPTO File History for U.S. Patent 7,356,677.

13. Attached as Exhibit J to this declaration is a true and correct copy of the USPTO's Final Rejection dated December 20, 2006, excerpted from the USPTO File History for U.S. Patent 7,356,677.

14. Attached as Exhibit K to this declaration is a true and correct copy of Applicant's Amendment and Response dated September 8, 2006, excerpted from the USPTO File History for U.S. Patent 7,356,677.

15. Attached as Exhibit L to this declaration is a true and correct copy of Applicant's Response to Office Action dated February 14, 2006, excerpted from the USPTO File History for U.S. Patent 7,356,677.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on October 13, 2016 at Palo Alto, California.

/s/ Bryan J. Sinclair
Bryan J. Sinclair

*Attorneys for Defendants Airbnb, Inc., eBay,
Inc., and TripAdvisor LLC*